

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 27, 2010
POSITION: Oppose

BILL NUMBER: SB 1277
AUTHOR: D. Florez

BILL SUMMARY: Animal Abuse: Registry: Internet Publication

This bill would require a person over 18 years of age who is convicted of felony animal abuse to register with the appropriate law enforcement agency for a specified period. The registry would be maintained by the Department of Justice (DOJ), which would make specified registry information available to the public via a web site.

FISCAL SUMMARY

Although no fiscal estimate has been provided by DOJ, Finance expects that the creation of this registry would result in significant one-time and ongoing costs. Furthermore, it is not clear that the revenue source created by the bill in the form of new penalties and the proposed Animal Protection Fund would be sufficient to cover the costs of the registry, associated web site, local spay and neuter programs, and administration costs associated with this new program. The new fund could not be used by other entities affected such as the Department of Corrections and local law enforcement agencies, which will have notification and reporting requirements. To the extent the workload is not covered by this new fund source, it would create a General Fund cost pressure.

The bill also would create a reimbursable state-mandated local program, which would result in General Fund costs that are not included in the Administration's current fiscal plan.

COMMENTS

Finance is opposed to this measure because it would result in additional costs and workload for DOJ and other affected state and local entities. The bill would create a reimbursable state mandate by requiring reporting by local law enforcement, and requiring collaboration with DOJ on developing strategies for the public regarding the registry information, which would result in General Fund costs. Furthermore, the bill would result in the creating of a new fund, which would create additional administrative workload.

During this time of limited resources and already decreased capabilities to meet mandated workload, Finance does not believe implementing this new program at this time is appropriate.

This bill would create a registry for those persons convicted of an animal abuse felony. Some of the registry information would be put on a public web site, which would maintained by DOJ. Additionally, the bill would create a new \$200 fine for each animal abuse misdemeanor conviction and a fine of \$500 for each felony conviction. These fines would be deposited into the proposed Animal Protection Fund for use on registry expenses as well as local spay and neuter programs. The public registry information would have to be made available on or before January 1, 2012.

Analyst/Principal (0211)J. Osborn	Date	Assistant Program Budget Manager Zlatko Theodorovic	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

D. Florez

April 27, 2010

SB 1277

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	Code
1614/Misc Revenue	RV	No	-----	See Fiscal Summary	-----				0499
0820/Justice	LA	No	-----	See Fiscal Summary	-----				0499
5225/Corr & Rehab	SO	No	-----	See Fiscal Summary	-----				0001
8885/Comm St Mndt	SO	No	-----	See Fiscal Summary	-----				0001

Fund CodeTitle

0001

General Fund

0499

Pending New Special Funds